

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LISA LENIHAN,

Plaintiff,

V.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

CIVIL ACTION NO.
09-10901-GAO

**ORDER AND JUDGMENT UNDER SENTENCE
FOUR OF 42 U.S.C. § 405(g) REVERSING AND REMANDING
THIS MATTER TO THE COMMISSIONER OF SOCIAL SECURITY**

Pursuant to the power of this Court to enter an order and judgment affirming, modifying or reversing the Commissioner's decision with a remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. section 405(g), the parties' request to remand this matter for the further administrative proceedings is hereby allowed.

Upon remand, the matter will be returned to an Administrative Law Judge (“ALJ”) for the further development of the medical, vocational and other evidence to resolve the degree of restriction stemming from Plaintiff’s impairments. The ALJ will also allow Plaintiff to update the medical evidence, as well as providing Plaintiff with a new administrative hearing with the appearance of vocational expert and, if necessary, a medical expert.

Therefore, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the matter to the Commissioner for further proceedings. See Shalala v. Schaefer, 509 U.S. 292 (1993); Melkonyan v. Sullivan, 501 U.S. 89 (1991).

SO ORDERED this 17th day of May, 2010.

/s/ George A. O'Toole, Jr.

GEORGE A. O'TOOLE, Jr.
United States District Judge